

Exhibit C

From: [Kane, Mary \(USANYW\)](#)
To: [Bonsignore, James J.](#); silvermans@silvermanlaw.com
Subject: DRAFT stip
Date: Tuesday, June 04, 2019 3:09:47 PM
Attachments: [Eden Square Stip USAO JJB SS.docx](#)
[ATT00001.txt](#)

Hi Jim and Sam

Just to give you a preview of the draft stipulation I have been working on.

It is with USMS for review to make sure they can accept the funds or if they need any “magic” language in the stip in order to do so.

Have a look and advise if you have any concerns or questions.

Thanks,

Mary

Mary Clare Kane

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Asset Forfeiture and Financial Litigation Unit
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In Re: The Matter of the Sale of:

THE PREMISES AND REAL PROPERTY WITH BUILDINGS, APPURTENANCES, AND IMPROVEMENTS AT THE PREMISES, BUILDINGS, APPURTENANCES, IMPROVEMENTS, AND REAL PROPERTY AT 9000 OLD STATION ROAD, CRANBERRY TOWNSHIP, PENNSYLVANIA, KNOWN AS EDEN SQUARE APARTMENTS, A MULTI-FAMILY RESIDENTIAL APARTMENT COMPLEX, OWNED BY CRANBERRY VISTA APARTMENTS LLC, SITUATE IN THE COUNTY OF BUTLER, PENNSYLVANIA, BEING KNOWN AS LOT NUMBER 2 IN THE DAVIS SUBDIVISION PLAN AS RECORDED IN THE RECORDER'S OFFICE OF BUTLER COUNTY, PENNSYLVANIA ON JANUARY 10, 2014 IN PLAN BOOK VOLUME 339, PAGE NUMBER 43 AS INSTRUMENT # 201401100000776.

STIPULATED AGREEMENT REGARDING PROCEEDS FROM THE SALE OF EDEN SQUARE APARTMENTS

IT IS HEREBY STIPULATED and agreed upon by and between the parties, the United States of America, by its attorney, James P. Kennedy Jr., United States Attorney for the Western District of New York, Mary Clare Kane, Assistant United States Attorney, of counsel; James Bonsignore, Esq., of counsel to Cranberry Vista Apartments, LLC., Samuel Silverman, Esq., of counsel to Freshcorn Square DE 1 LLC and Freshcorn Square DE 2 LLC, that with the proceeds from the sale of the above-encaptioned property (hereinafter referred to as "Eden Square Apartments") a payment shall be made to the United States Marshal Service for the Western District of Pennsylvania in the form of a certified bank check to be held in its Seized Assets Deposit Fund as the substitute res until resolution is reached in criminal and forfeiture litigation attendant to the case known as United States v.

Robert Morgan et al, 18-CR-108-EAW with respect to those proceeds or until further order of the Federal Court.

On May 21, 2019, a federal grand jury returned a Superseding Indictment charging Robert Morgan, Frank Giacobbe, Todd Morgan and Michael Tremetti (the "defendants") with violations of Title 18, United States Code, Sections 1343, 1344, 1349 and 2 as well as Title 18, United States Code, Section 1956(h). Indictment Number 18-CR-108-EAW.

The Superseding Indictment contains three (3) allegations regarding criminal forfeiture and alleges that certain Real Properties are subject to forfeiture, as applicable, pursuant to Title 18, United States Code, Sections 981(a)(1), 982(a)(1), 982(b)(1), 981(a)(1)(C), and Title 28, United States Code, Section 2461(c) in that the Real Properties (1) constitute or are derived from proceeds traceable to the offense of conviction; (2) are property constituting, or derived from proceeds obtained, directly or indirectly, as a result of such offenses of conviction and the commission of violations of Title 18, United States Code, Sections 1343, 1344, 1349 and 2 (Bank and Wire Fraud and Conspiracy); and (3) are involved in such offense and any property traceable to such property and the commission of violations of Title 18, United States Code, Sections 1956(h) (Money Laundering Conspiracy).

Eden Square Apartments is named in all three (3) Forfeiture Allegations of the Superseding Indictment as being subject to forfeiture in the event of conviction.

A sale of Eden Square Apartments according to the terms and conditions of a certain contract entered into on May 2, 2019 between Cranberry Vista Apartment/Robert Morgan, Manager, as seller, and Freshcorn Square, DE 1 LLC and Freshcorn Square DE 2 LLC by Asher Handler (Authorized Signatory), as purchaser, is pending and set to close on June 6, 2019.

The parties agree that the seller, Cranberry Vista Apartments, LLC/Robert Morgan as Manager, shall execute all necessary documents as required by the attorney for this purchase, to transfer clear title to Freshcorn Square DE 1 LLC and Freshcorn Square DE 2, LLCs, a bona fide purchaser for value.

Samuel Silverman, Esq., attorney for Freshcorn Square DE 1, LLC and Freshcorn Square DE 2, LLC, the purchaser, will pay all valid lienholders, taxes, customary fees and charges attendant to the sale of the real estate in the County of Butler and Commonwealth of Pennsylvania, including reasonable attorney fees, and thereafter will make payment of the net proceeds from the sale to the United States Marshals Service in a certified check in an amount provided by a closing statement prepared for the sale of the Eden Square Apartments by James J. Bonsignore, Esq., attorney for Cranberry Vista Apartments, LLC/Robert Morgan as Manager, the seller, disclosed to and agreed to by the parties hereto in advance of the closing and Samuel Silverman, Esq. will tender payment of said net proceeds check to the United States Attorney's Office for the Western District of New York at or immediately after said closing.

The United States Marshals Service shall hold the sale proceeds in its Seized Assets Deposit Fund as the substitute res until the conclusion of the pending criminal and forfeiture litigation in United States v. Robert Morgan, et al, 18-CR-108-EAW or upon an order of the Court.

The seller agrees that no proceeds shall be caused to be transferred in any manner to Cranberry Vista Apartments, LLC, Robert Morgan or any of his family members or entities until further federal court order.

Seller and Purchaser represent that there are no conflicts of interest with respect to the pending sale of Eden Square Apartments.

It is further agreed and stipulated that none of the parties shall be liable to the other for attorney fees, costs, and expenses, interest, or any other relief not specifically provided for in this agreement.

Buffalo, New York, June 5, 2019.

JAMES P. KENNEDY, JR.
United States Attorney

By: _____
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Dated: June 2019

James Bonsignore, Esq.

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585-987-5903
jbonsignore@woodsoviatt.com

Dated: June 2019

Samuel Silverman, Esq.
The Silverman Law Firm, PLLC
845-517-0351

Dated: June 2019

Robert Morgan
Manager
Cranberry Vista Apartments, LLC

Dated: June 2019

Asher Handler
Freshcorn Square, DE 1&2 , LLCs
Authorized Signatory

Received: from EX1.woods.intra (172.30.1.145) by EX2.woods.intra (172.30.1.146) with Microsoft SMTP Server (TLS) id 15.0.1473.3 via Mailbox Transport; Tue, 4 Jun 2019 15:09:47 -0400

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From: "Kane, Mary (USANYW)" <Mary.Kane@usdoj.gov>

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Subject: DRAFT stip

Thread-Topic: DRAFT stip

Thread-Index: AQHVLdxOWGY+NAIiskG8toiXUPG/jQ==

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